1 and 9 from which they depend are believed to also be allowable as discussed further below.

Claims 1, 2, 7, 9, 10, 13, 15, 16 and 18-20 are amended to more particularly point out and distinctly claims the subject matter which applicant regards as the invention, and particularly to adopt changes suggested by the Examiner at item 2 of the Office Action. Also, claims 1 and 9 are amended to further define that the connecting assembly is made of substantially non-compressible and relatively rigid material, while new claim 21 depends from claim 18 and defines the same feature.

Applicant respectfully submits that the amendments presented are fully supported by the original application, including the drawings, and do not constitute new matter.

Applicant also respectfully submits that the above amendments overcome the Examiner's objections to claims 1-18 and 20 and the Examiner's rejection of claims 11, 12 and 20 under 35 USC §112, second paragraph, as set forth at items 2 and 4 of the Office Action. Accordingly, it is respectfully requested that the objections and rejection be reconsidered and withdrawn. Relatedly, it is submitted that claim 20 is now also allowable in light of the Examiner's indication at item 13 of the Office Action

Art-Based Rejections Under 35 U.S.C. §102(b) and 35 U.S.C. §103(a)

The Examiner has rejected: claims 1, 2, 6, 7, 9-11, 13 and 15-18 under 35 USC §102(b) as being anticipated by Dodge (US Patent 5,580,077) as set forth at item 6 of the Office Action; claims 8 and 12 under 35 USC §103(a) as being unpatentable over Dodge as set forth at item 10 of the Office Action; claim 4 under 35 USC §103(a) as being unpatentable over Dodge in view of Tinkler (US Patent 5,544,919)as set forth at item 8 of the Office Action; and claim 5 under 35 USC §103(a) as being unpatentable over Dodge in view of Laughlin et al. (US Patent 5,580,077) as set forth at item 9 of the Office Action. It is the Examiner's position that Dodge's rider supporting assembly for snowboards includes or makes obvious most of the limitations of the rejected claims; and that it would have been obvious to persons skilled in the art at the time

of the invention to provide Dodge's assembly with an engagement portion on the nose portion of the snowboard and with bindings based on the teachings of Tinkler and Laughlin.

Applicant's Response

Upon careful consideration, and in view of the above amendments to the claims, applicant respectfully submits that a snowboard as defined in each of the present claims is clearly patentably distinct over the applied references (whether considered singly or in combination), because none of the references discloses or in any way suggests a connecting assembly which connects slide and step boards as claimed, while the Dodge patent (as primarily relied on by the Examiner) has such a flawed/inconsistent disclosure that it should not be relied on in any event.

Again, as consistently described throughout the present application, an important aspect of the invention is that the connecting assembly (tubular members 4, bolts 6 and nuts 7 in the disclosed embodiment) connects the slide and step boards 2, 3 such that the boards substantially do not move relative to each other in the vicinity of the connecting assembly, which in turn allows a user to more easily shift his/her weight around on the snowboard thereby permitting the user to perform complex - attractive tricks not permitted by prior snowboards. Particularly, "the slide board and step board [are retained] in a fixed, substantially parallel and spaced relationship in the immediate vicinity of the connecting assembly during use of the snowboard", as defined in claim 1, "the slide and step boards remain in a fixed, substantially parallel and spaced relationship in the immediate vicinity of the connecting assembly during use of the snowboard" as defined in claim 9, and the connecting assembly functions to "substantially prohibit relative movement between the boards in the immediate vicinity of the connecting assembly during use of the snowboard", as defined in claim 18. These important distinctions are further emphasized by the above amendments to claims 1 and 9 further defining the material of the connecting assembly as "relatively rigid".

With regard to the Dodge patent, the exact nature of his invention is not clear because

the drawings are plainly inconsistent with the text, and the text and drawings are inconsistent even with themselves. As discussed, the object of this prior patent is to "reduce(s) rider-induced unwanted longitudinal bending of the snowboard without adversely restricting the convex bending of the snowboard." The mounting plate 28 "is sufficiently rigid to limit bending movement of the front end section 12 (of the snowboard) with respect to the rear end section 14 ." Referring to Fig. 2, "beveled edges 36 are provided along the lower surface 32of the mounting plate 28 to provide clearance with the snowboard." Referring to Fig. 1, "the two holes 38 ... are slightly oblong to permit bending of the snowboard 10 relative to the mounting plate 28."

According to Dodge's written description, it can be gleaned that the mounting plate 28 prevents the concave bending of the snowboard 10 by engaging the middle part of the snowboard as it flexes into a concave shape. On the other hand, the convex bending of the snowboard is permitted by virtue of the oblong holes 38, and the middle part of the snowboard is allowed to simply deflect away from the mounting plate 28.

The patent also states that "the operation of the arrangement shown in Figure 4 (sic) is similar to that of Figure 3." However, it is obvious that "Figure 4" was intended as "Figure 5" which is the only drawing showing the second embodiment of the invention, and, accordingly, the embodiment illustrated in Figure 5 should be considered as operating similarly to the first embodiment. To this end it is necessary to allow a certain freedom of motion in the coupling arrangement between the mounting plate 28 and the snowboard 10, and the written text is consistent in this regard although explicit and clear description is very scarce. It is, therefore, appropriate to assume that the use of the spherical surface 54 in Figure 5 is to achieve a certain freedom in pivotal movement. While the structure sown in Figure 5 is apparently unable to allow such movement, except through the pad of resilient material 42 surrounding the head of bolt 40, it is also true that there is no logical reason for use of the semispherical "mushroom-shaped spacer 54 made of strong rigid material such as a metal" if not for such a pivotal

movement.

Dodge's drawing are not to be trusted. For instance, in Figure 3, the resilient rubber pad 42 is provided with a central through hole through which the bolt 40 is passed. However, in Figure 1, the pad 42 is shown as a circular sheet which does not overlap with the threaded bolts 40 or the oblong holes 38. Therefore, Figures 1 and 3 are grossly inconsistent with each other. Again, a certain freedom must exist in the written and depicted disclosure of the coupling arrangement of Dodge for some consistency to exist .

Thus, in the first place, applicant respectfully submits that it is very unfair for the Dodge reference (particularly Figure 5 thereof), which is not at all consistent and no more than a product of chance, to be cited as anticipating or rendering obvious the presently claimed invention. It is like citing a drawing made by a chimpanzee or an ink blot as a reference against an invention.

Moreover, applicant respectfully submits that, even despite Dodge's flawed and inconsistent disclosure, it is clear that the *Dodge requires/permits some amount of relative movement between the snowboard 10 and the mounting plate 28* via the resilient rubber pad 42, oblong holes 38 and/or semispherical spacer 54 to achieve the desired *"convex bending"* of the snowboard, and hence is *directly contrary* to the claimed invention including the features discussed above. Particularly, Dodge's snowboard 10 and mounting plate 28: are not retained "in a fixed, substantially parallel and spaced relationship in the immediate vicinity of the connecting assembly during use of the snowboard"; do not "remain in a fixed, substantially parallel and spaced relationship in the immediate vicinity of the connecting assembly during use of the snowboard"; and are not substantially prohibited from "relative movement [there]between ...in the immediate vicinity of the connecting assembly".

On the other hand, neither of the Tinkler and Laughlin references pertains to a snowboard having slide and step boards connected together by a connecting mechanism, and hence cannot overcome the deficiencies of Dodge discussed above.

Because of the discussed distinctions, the devices disclosed in the cited reference also fail to achieve the advantages of the present invention, e.g., , the ability to move on and off the snowboard for performing a variety of flashy tricks similar to those performed on a skateboard because the snowboarder gains a leverage in controlling the edges of the slide board without any substantial effort.

In view of the foregoing, the rejections of claims 1, 2, 4-13 and 15-18 under 35 USC §102(b) and 35 USC §103(a) are believed to be overcome, and accordingly it is respectfully requested that the rejections be reconsidered and withdrawn.

New claim 21 is believed to be allowable over the reference of record based on the merits of claim 18 discussed above, as well as on the merit of the additional feature defined in the new claim.

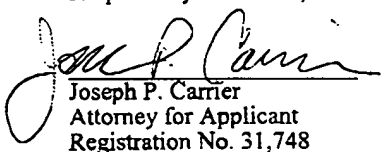
Conclusion

In conclusion, applicant has overcome the Examiner's objections and rejections as presented in the Office Action; and moreover, applicant has considered all of the references of record, and it is respectfully submitted that the invention as defined by each of the present claims is clearly patentably distinct thereover.

The application is now believed to be in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner is not fully convinced of all of the claims now in the application, applicant respectfully requests that she telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

Respectfully submitted,



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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile transmission to the US Patent & Trademark Office, Art Unit 3618, on February 11, 2003.

Dated: February 11, 2003

JPC/ms
enclosures

(Marked up copy of amended claims)

1. (Four times amended) A snowboard for sliding over snow, comprising:

an elongated slide board having a slide surface on a lower surface thereof; and

an elongated step board defining a deck on an upper surface thereof, and attached to an upper surface of the slide board [in a substantially parallel and spaced relationship] via a connecting [member] assembly made of substantially non-compressible and relatively rigid material; and

the connecting [member retains] assembly retaining the slide board and step board in a fixed, substantially parallel and spaced relationship in the immediate vicinity of the connecting [member] assembly during use of the snowboard.

2. (Amended) A snowboard according to claim 1, wherein the connecting [member] assembly is provided in a substantially middle part of the slide board.

7. (Amended) A snowboard according to claim 1, wherein said connecting assembly comprises [comprising] a plurality of [the] connecting members formed of [one of hard plastic] a substantially rigid material [and metallic material] and fixed between the slide board and the step board.

9. (Thrice amended) A snowboard for sliding over snow, comprising:

an elongated slide board having a slide surface on a lower surface thereof; and

an elongated step board defining a deck on an upper surface thereof, and attached to an upper surface of the slide board via a connecting [mechanism] assembly made of substantially non-compressible and relatively rigid material such that the slide and step boards remain in a fixed, substantially parallel and spaced relationship in the immediate vicinity of the connecting [mechanism] assembly during use of the snowboard.

10. (Amended) A snowboard according to claim 9, wherein the connecting [mechanism] assembly includes a connecting member formed of relatively rigid material and extending between the slide board and the step board.

13. (Amended) A snowboard according to claim 9, wherein the connecting [mechanism] assembly is provided in a substantially middle part of the slide board.

15. (Amended) A snowboard according to claim 1, wherein the connecting [member] assembly maintains a substantially fixed height during use of the snowboard.

16. (Amended) A snowboard according to claim 1, wherein the [snowboard] connecting assembly includes at least two [of the] connecting members spaced laterally apart from each other.

18. (Twice amended) A snowboard for sliding over snow, comprising:

an elongated slide board having a slide surface on a lower surface thereof;

an elongated step board defining a deck on an upper surface thereof; and

a connecting [mechanism] assembly made of substantially non-compressible material connecting the step board to an upper surface of the slide board so as to substantially prohibit relative [pivoting] movement between the boards in the immediate vicinity of the connecting [mechanism] assembly during use of the snowboard.

19. (Amended) A snowboard for sliding over snow, comprising:

an elongated slide board having a slide surface on a lower surface thereof;

an elongated step board defining a deck on an upper surface thereof, the step board being appreciably greater in both length and width than the slide board; and

a connecting [mechanism] assembly made of substantially non-compressible material connecting the step board to an upper surface of the slide board to allow a substantially increased leverage for the user in controlling the slide board.

20. (Amended) A snowboard according to claim 19, wherein the connecting [member] assembly retains the slide board and step board in a fixed, substantially parallel and spaced relationship during use of the snowboard.